

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.

112701-694

In Re Application Of: **Garcia-Rodenas et al.**

JUL 28 2006

Application No.

Filing Date

Examiner

Customer No.

Group Art Unit

Confirmation No.

10/562,243

December 22, 2005

Unknown

29157

Unknown

6067

Title: **NUTRITIONAL FORMULA FOR OPTIMAL GUT BARRIER**

Address to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

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JUL 28 2005

OFFICE OF THE SECRETARY OF COMMERCE
PATENT & TRADEMARK OFFICE

Application No.	Filing Date	Examination	Customer No.	Group Art Unit	Confirmation No.
10/562,243	December 22, 2005	Unknown	29157	Unknown	6067

Title: NUTRITIONAL FORMULA FOR OPTIMAL GUT BARRIER

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

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07/26/06

(Date)

Signature of Person Mailing Correspondence

Heather Foster

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

Dated: July 26, 2006

Signature

Robert M. Barrett
Reg. No. 30,142

CC:

P10A/REV05

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BG/

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 112701-694	
In Re Application Of: Garcia-Rodenas et al.					
Application No.	Filing Date	Examiner	Prior Art No.	Group Art Unit	Confirmation No.
10/562,243	December 22, 2005	Unknown	29157	Unknown	6067
Title: NUTRITIONAL FORMULA FOR OPTIMAL GUT BARRIER					
<p>Address to:</p> <p>Commissioner for Patents</p> <p>P.O. Box 1450</p> <p>Alexandria, VA 22313-1450</p> <p>37 CFR 1.97(b)</p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>37 CFR 1.97(c)</p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p style="margin-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p style="text-align: center; margin-left: 100px;">OR</p> <p style="margin-left: 40px;"><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>					

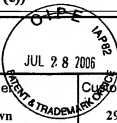
TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

112701-694

In Re Application of: Garcia-Rodenas et al.



Application No. 10/562,243	Filing Date December 22, 2005	Examiner Unknown	Customer No. 29157	Group Art Unit Unknown	Confirmation No. 6067
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Title: NUTRITIONAL FORMULA FOR OPTIMAL GUT BARRIER

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BG/



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Garcia-Rodenas et al.
Appl. No.: 10/562,243
Conf. No.: 6067
Filed: December 22, 2005
Title: NUTRITIONAL FORMULA FOR OPTIMAL GUT BARRIER
Art Unit: Unknown
Examiner: Unknown
Docket No.: 112701-694

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited on the attached PTO-1449 form be made during the course of examination of the above-identified application for United States patent. Pursuant to 37 C.F.R. 1.98, copies of all foreign patent documents and non-patent documents are enclosed.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

A copy of the International Search Report is included in this submission. Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

BELL, BOYD & SLOYD LLC

BY _____

Robert M. Barrett
Reg. No. 30,142
Customer No. 29157

Dated: July 26, 2006



**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)

PTO Form 1449

Atty Docket No. 112701-694	Application No. 10/562,243
Applicant Garcia-Rodenas et al.	Date Submitted July 26, 2006
Filing Date December 22, 2005	Group Unknown

U.S. PATENT DOCUMENTS

Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate
	6,132,710	10-17-00	Morris et al.			

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Document Number	Publication Date	Country	Class	Subclass	Translation	
						Yes	No
abstract	05-030942	02-09-93	JP				
abstract	05-276894	10-26-93	JP				
	0 295 009	12-14-88	EP				
	0 527 283	02-17-93	EP				
	97/00078	01-03-97	PCT				
	99/56758	11-11-99	PCT				
	00/35443	06-22-00	PCT				
	1 064 857	01-03-01	EP				
	01/58283	08-16-01	PCT				
	1 281 325	02-05-03	EP				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner's Initials	
	Majumaa, H., et al., "Probiotics: A novel approach in the management of food allergy; Journal of Allergy and Clinical Immunology, Mosby-Yearly Book, Inc., US, vol. 99, no. 2, 1997, pp. 179-185, XP009022566
	Koletzko, B., et al., "Growth, development and differentiation: a functional food science approach, British Journal of Nutrition, vol. 80, Suppl. 1, 1998 pp. S5-S45, XP009027350
	Lo, C., "Infant formula, past and future: opportunities for improvement," American Journal of Clinical Nutrition, vol. 63, no. 4, 1996 pp. 646S-650S, XP-002102415

Examiner: /Brian Gangle/	Date Considered: 04/18/2008
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	